

10/01/2020

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

LUIGI ABREU, Individually,
and On Behalf of All Others Similarly Situated,

DEFENDANTS

ALL ELITE WRESTLING, LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

MIZRAHI KROUB LLP
200 Vesey Street, 24th Floor
New York, NY 10281
212/595-6200

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

42 u.s.c § 12101 Title III of the Americans with Disabilities Act of 1990

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

| | | TORTS | ACTIONS UNDER STATUTES | | | |
|---------------|--|--|--|---|---|--|
| CONTRACT | | PERSONAL INJURY | PERSONAL INJURY | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
| [] 110 | INSURANCE | [] 310 AIRPLANE | [] 367 HEALTHCARE/PHARMACEUTICAL PERSONAL | [] 625 DRUG RELATED | [] 422 APPEAL | [] 375 FALSE CLAIMS |
| [] 120 | MARINE | [] 315 AIRPLANE PRODUCT LIABILITY | [] 365 PERSONAL INJURY | SEIZURE OF PROPERTY | 28 USC 158 | [] 376 QUI TAM |
| [] 130 | MILLER ACT | [] 320 ASSAULT, LIBEL & SLANDER | [] 368 ASBESTOS PERSONAL | [] 690 OTHER | [] 423 WITHDRAWAL | [] 400 STATE REAPPORTIONMENT |
| [] 140 | NEGOTIABLE INSTRUMENT | [] 330 FEDERAL EMPLOYERS' LIABILITY | INJURY PRODUCT LIABILITY | PROPERTY RIGHTS | | [] 410 ANTITRUST |
| [] 150 | RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT | [] 340 MARINE PRODUCT LIABILITY | PERSONAL PROPERTY | [] 820 COPYRIGHTS | [] 880 DEFEND TRADE SECRETS ACT | [] 430 BANKS & BANKING |
| [] 151 | MEDICARE ACT | [] 345 MARINE PRODUCT LIABILITY | [] 370 OTHER FRAUD | [] 830 PATENT | [] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION | [] 450 COMMERCE |
| [] 152 | RECOVERY OF DEFECTUALTED STUDENT LOANS (EXCL VETERANS) | [] 350 MOTOR VEHICLE PRODUCT LIABILITY | [] 371 TRUTH IN LENDING | [] 840 TRADEMARK | SOCIAL SECURITY | |
| [] 153 | RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS | [] 360 OTHER PERSONAL INJURY | [] 380 OTHER PERSONAL PROPERTY DAMAGE | LABOR | [] 861 HIA (1395ff) | [] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO) |
| [] 160 | STOCKHOLDERS SUITS | [] 362 PERSONAL INJURY - MED MALPRACTICE | [] 385 PROPERTY DAMAGE | [] 710 FAIR LABOR STANDARDS ACT | [] 862 BLACK LUNG (923) | [] 480 CONSUMER CREDIT |
| [] 190 | OTHER CONTRACT | ACTIONS UNDER STATUTES | | [] 720 LABOR/MGMT RELATIONS | [] 863 DIWC/DIWV (405(g)) | [] 485 TELEPHONE CONSUMER PROTECTION ACT |
| [] 195 | CONTRACT PRODUCT LIABILITY | CIVIL RIGHTS | [] 463 ALIEN DETAINEE | [] 740 RAILWAY LABOR ACT | [] 864 SSID TITLE XVI | [] 490 CABLE/SATELLITE TV |
| [] 196 | FRANCHISE | [] 440 OTHER CIVIL RIGHTS (Non-Prisoner) | [] 510 MOTIONS TO VACATE SENTENCE 28 USC 2255 | [] 751 FAMILY MEDICAL LEAVE ACT (FMLA) | [] 865 RSI (405(g)) | [] 850 SECURITIES/COMMODITIES/EXCHANGE |
| REAL PROPERTY | | [] 441 VOTING | PRISONER CIVIL RIGHTS | FEDERAL TAX SUITS | | [] 890 OTHER STATUTORY ACTIONS |
| [] 210 | LAND CONDEMNATION | [] 442 EMPLOYMENT | [] 550 CIVIL RIGHTS | [] 870 TAXES (U.S. Plaintiff or Defendant) | [] 891 AGRICULTURAL ACTS | |
| [] 220 | FORECLOSURE | [] 443 HOUSING/ACCOMMODATIONS | [] 555 PRISON CONDITION | [] 790 OTHER LABOR LITIGATION | [] 893 ENVIRONMENTAL MATTERS | |
| [] 230 | RENT LEASE & EJECTMENT | [] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT | [] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT | [] 791 EMPL RET INC SECURITY ACT (ERISA) | [] 895 FREEDOM OF INFORMATION ACT | |
| [] 240 | TORTS TO LAND | [x] 446 AMERICANS WITH DISABILITIES - OTHER | | | | [] 896 ARBITRATION |
| [] 245 | TORT PRODUCT LIABILITY | [] 448 EDUCATION | | | | [] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION |
| [] 290 | ALL OTHER REAL PROPERTY | | | | | [] 950 CONSTITUTIONALITY OF STATE STATUTES |

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

| | | | | | | |
|---|---|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input type="checkbox"/> a. all parties represented | | | | | | <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) |
| <input type="checkbox"/> b. At least one party is pro se. | | | | | | |

(PLACE AN x IN ONE BOX ONLY)

1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

| | | | | | | | |
|--------------------------|--------------|--------------|---|------------------------|---|--------------|--------------|
| CITIZEN OF THIS STATE | PTF [] 1 | DEF [] 1 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | PTF DEF [] 3 [] 3 | INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE | PTF [] 5 | DEF [] 5 |
| CITIZEN OF ANOTHER STATE | [] 2 | [] 2 | INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE | [] 4 [] 4 | FOREIGN NATION | [] 6 | [] 6 |

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

BRONX

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)**DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

/s/ Edward Y. Kroub

DATE 3/28/2022

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[x] YES (DATE ADMITTED Mo. 12 Yr. 2005)
Attorney Bar Code # 4336251

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Clear Form**Save****Print**